

UNITED STATES BANKRUPTCY COURT
DISTRICT OF MASSACHUSETTS

In re

Case No. 18-14771-JEB

Joseph M. Bissanti

Chapter 13

Debtors

ORDER ON DEBTOR'S MOTION FOR LEAVE TO SELL 93 WHITWELL STREET,
QUINCY, MA FREE AND CLEAR OF ALL LIENS, CLAIMS AND ENCUMBRANCES

This matter came before the Court on the Debtor's Motion for Leave to Sell 93 Whitwell Street, Quincy MA Free and Clear of All Liens, Claims and Encumbrances to Hussein Moussa (the "Motion to Sell") filed on June 18, 2019 and the Notice of Intended Private Sale of Property (the "Notice of Sale"). Due and adequate notice of the Motion to Sell and the Notice of Sale was given and no objections were filed.

Heat Treating LLC made a higher offer within the deadline to make higher offers as provided in the Notice of Sale. The Court held hearing and a sealed bid auction on July 25, 2019 at which Heat Treating LLC made the highest bid of \$501,000.00.

NOW THEREFORE, for the reasons set forth on the record and good cause being shown, it is hereby ORDERED:

1. The Motion to Sell is allowed.
2. The Debtor is authorized to sell the property known as 93 Whitwell Street, Quincy, MA (the "Property") to Heat Treating LLC for the sum of \$501,000.00. The Property shall be sold free and clear of all liens, claims and encumbrances.
3. The Court finds that Heat Treating LLC is purchasing the Property in good faith and is entitled to the protections of 11 U.S.C. § 363(m).
4. The Debtor shall pay from the proceeds of the sale:

- a. normal closing costs, including deed stamps and any outstanding municipal taxes or utilities; and
- b. the payoff balance, as of the closing date, owed on account of the mortgage held by Deutsche Bank National Trust Company, as Trustee for Fremont Home Loan Trust 2006-2, Asset-Backed Certificates, Series 2006-2.

5. Any remaining proceeds shall be paid to the Debtor in respect of the homestead exemption of the Debtor.

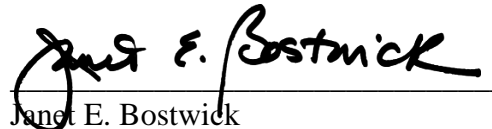
6. If the sale to Heat Treating LLC fails to close, the Debtor is authorized to sell the Property to Hussein Moussa as a backup bidder for a purchase price of \$443,617.89.

7. The Debtor shall provide the Chapter 13 Trustee with a copy of the settlement statement within fourteen days of closing.

8. The Debtor will amend the Chapter 13 Plan and Schedules I and J within two weeks of closing.

9. The stay provided under Fed. R. Bankr. P. 6004(h) is waived and this Order is immediately effective.

Dated: January 22, 2020


Janet E. Bostwick
United States Bankruptcy Judge